

Study of the Neuse Buffer Rules
(15A NCAC 02B .0233)
and the
Tar-Pamlico Buffer Rules
(15A NCAC 02B .0259)

Pursuant to Session Law 2011-394(17)(e)

What DENR was to Study

- ▶ Whether the Neuse and Tar–Pamlico riparian buffer rules might be amended or implemented in a different way to achieve the same level of water quality protection while reducing the impact to riparian property owners in the two river basins; and
- ▶ Exempting all single family residence lots platted prior to August 1, 2000.



Photo courtesy of NCDENR



Photo courtesy of NCDENR

N.C. General Assembly took action

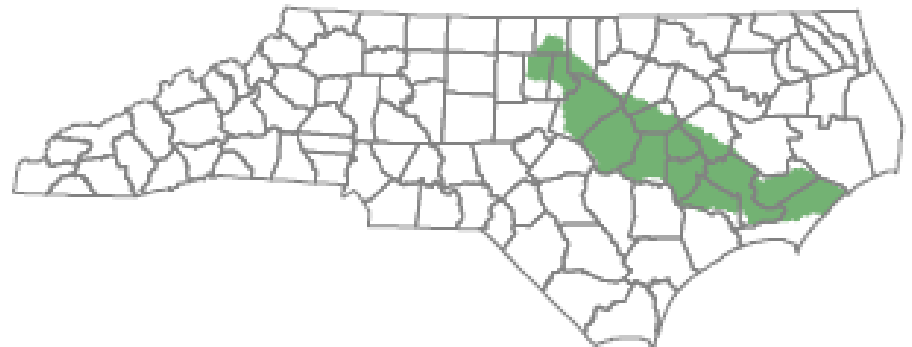
June 19, 1996

- ▶ SL 1995–572
 - Directed the Environmental Management Commission (EMC) to develop a plan to reduce the average annual load of nitrogen to the Neuse River Estuary by 30%



Neuse Management Strategy

- ▶ The EMC adopted the Neuse River Basin – Nutrient Sensitive Waters Management Strategy for:
 - protection and maintenance of riparian areas
 - wastewater discharges
 - urban stormwater management
 - agricultural nitrogen reduction
 - fertilizer management
 - nitrogen offset fees



Shifting Burden

- ▶ Removing the existing riparian buffer requirements would shift the burden of nutrient reductions to other sources:
 - Agriculture
 - Wastewater treatment plants
 - Stormwater management

Importance of the buffers

- ▶ **Nutrient, Sediment and Pollutant Removal**
- ▶ Removal of Pesticides, Heavy Metals, Bacteria and Viruses
- ▶ Flood Control
- ▶ Streambank Stabilization
- ▶ Maintaining Waterfront Property Value
- ▶ Lowest Cost Alternative



How DENR Implemented the Study

- ▶ Memo was posted on the Division of Water Quality website and sent to the DWQ 401 and Planning listservs
 - Posted for 30 days
 - Solicited comments from the development community, agricultural community, the forestry industry, environmental groups, local governments, property owners and other interested parties
- ▶ Received 37 Letters
 - 27 supported the current buffer rules
 - 10 recommended changes to the current buffer rules

DENR Conclusions

- ▶ Scientific literature indicates that a 50-foot buffer provides for effective nutrient removal from existing landscapes to protect the water quality in the Neuse and Tar-Pamlico River Basins.



Photos courtesy of NC DWQ and NC State Parks

DENR Recommendations

- ▶ DENR does not recommend removing the existing riparian buffer requirements because of the significant nutrient removal buffers perform and it would place an increased burden for nutrient reductions on wastewater treatment plants, agriculture, and development.
- ▶ DENR does recommend expanding the flexibility provided to coastal counties outlined in Session Law 2011–394 to all single family residential lots throughout the Neuse and Tar–Pamlico River Basins.

Questions?



Photo courtesy of NC State Parks